

Translation

PATENT COOPERATION TREATY

PCT/IB2003/002682



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P-7714 00	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/IB2003/002682	International filing date (day/month/year) 07 July 2003 (07.07.2003)	Priority date (day/month/year)
International Patent Classification (IPC) or national classification and IPC B44C 5/04		
Applicant HADER, Susanne		

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u>2</u> sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>	
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>	

Date of submission of the demand 22 January 2005 (22.01.2005)	Date of completion of this report 28 2005 (28.sep.2005)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/IB2003/002682

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☒ This report is based on translations from the original language into the following language _____, which is language of a translation furnished for the purpose of:

- ☐ international search (under Rules 12.3 and 23.1(b))
☐ publication of the international application (under Rule 12.4)
☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

☒ The international application as originally filed/furnished

☒ the description:

pages _____ 1-8 _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the claims:

pages _____ 1-9 _____, as originally filed/furnished

pages* _____, as amended (together with any statement) under Article 19

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☒ the drawings:

pages _____ 1-1 _____, as originally filed/furnished

pages* _____ received by this Authority on _____

pages* _____ received by this Authority on _____

☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

☐ the description, pages _____

☐ the claims, Nos. _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

☐ the description, pages _____

☒ the claims, Nos. _____ 10 _____

☐ the drawings, sheets/figs _____

☐ the sequence listing (*specify*): _____

☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/IB 03/02682

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims	1-9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

2. Citations and explanations**1. Claims 1 and 8:****1.1 Prior art:**

GB-A-2 153 744, which is regarded as the closest prior art, discloses a decorative element with a translucent substrate as well as an image pattern applied thereto, as in the present claim 1, the substrate having at least one support surface provided with a translucent adhesive layer formed by a transparent film which is adhesive on both sides, and an image layer containing the image pattern is arranged on the side of the adhesive layer away from the substrate.

1.2 Problem:

To provide a decorative element and a process for producing the same which avoid the drawbacks of the known technology presented on pages 1 and 2 of the introductory part of the description.

1.3 Solution:

The prior art neither describes nor suggests the specific combination of all the features in claim 1, especially the translucent covering layer which, according to claim 1, covers the entire image layer, including its border. Consequently, an inventive step within the meaning of PCT Article 33(3) is involved. The process according to the present claim 8 thus meets the requirements of PCT Article 33 for novelty and inventive step.

2. Claims 2-7 and 9:

Dependent claims 2-7 define advantageous embodiments of a decorative element having all the features of independent claim 1, and dependent claim 9 defines an advantageous production process having all the features of independent claim 8.

3. Description:

- 3.1 The correct publication number of the document which reflects the prior art described on page 1, paragraph 2, was not indicated in the description (PCT Rule 5.1(a)(ii)).
- 3.2 Contrary to PCT Rule 5.1(a)(ii), the description does not cite documents D1 and D2 or indicate the relevant prior art disclosed therein.
- 3.3 Contrary to PCT Rule 5.1(a)(iii), the description is not in line with the claims.